 Internal Case Management System Worksheet - Case Closing					Top Allegation DOMESTIC INCIDENT - VICTIM OF - OTHER	Group G27-GROUP 27 Date of This Report 08/28/2018	
Date Reported 06/17/2017	Date Assigned 06/17/2017	IAB Log No. 2017-23154	Case No. (G27) OG-2017-11580	Folder Type OUTSIDE GUIDELINES	Preliminary Case Type OUTSIDE GUIDELINES	Follow-Up No.	Worksheet Tracking No. 3127239

Topic/Subject (Case Closing) CASE CLOSING - PARTIALLY SUBSTANTIATED	Activity Date 08/28/2018	Activity Time 08:10
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Referred to Group -	Conferred With	Next Review Date
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Closing Statement

Case #:
OG-2017-11580

Log #:
2017-23154
2018-31663

Subject Officer(s):
SCG Rose Charles, tax #386254, 102 Precinct
Date of Appointment: 3/23/2001
Probation at time of incident: No
Current Duty Status: Full

Date Case Received:
June 18, 2017

Date of Occurance:
June 17, 2017

Administrative Statute of Limitations:
December 17, 2018

Classification:
N/A

Investigator:
Sgt. John Lawton, tax #930713

Team Leader:
Lt. Karl George, tax #930208

Overall Case Disposition:
PARTIALLY SUBSTANTIATED

Details:

Log # 2017-23154
On June 17, 2017, Sgt. Erik Tarnok of the 113 Precinct, called the Command Center to report that SCG Rose Charles was the victim of an off-duty domestic incident by her boyfriend, [REDACTED] during which she was assaulted. Upon further review it was revealed that [REDACTED] was known to the Department under NYSID # [REDACTED] and was on NYS Parole for Robbery 1st Degree. Callout #2017-23154 was conducted by investigators from Group 27.

Log# 2018-31663
On August 13, 2018 Sgt. Lawton of IAB Group 27 called the Command Center to report that Charges and Specifications were preferred by Captain Kenneth Harsch against SCG Rose Charles, under the authority of Chief O'Neill. Department Advocate Chris Henry prepared the charges under DAO Serial #2018-18942.

IDENTIFICATION AND INTERVIEW OF COMPLAINANT/VICTIM:

N/A

IDENTIFICATION AND INTERVIEW OF WITNESS(ES):

>PO Christopher Costello was identified as a ☐Witness☐, in that he responded to the incident and was the arresting officer of [REDACTED]. PO Costello was not interviewed pursuant to this investigation.

> PO Sean Hinchy was identified as a ☐Witness☐, in that he was the partner of PO Costello and responded to the incident. PO Hinchy was not interviewed pursuant to this investigation.

>PO Keila Perez was identified as a ☐Witness☐ after she was identified as responding to a family dispute involving SCG Rose Charles and [REDACTED] on July 17, 2016. Details regarding PO Perez's interview are detailed under the ☐Patrol Guide 206-13 Hearings☐ portion of this closing.

>PO Keith McNicholl was identified as a ☐Witness☐ after he was identified as responding to a family dispute involving SCG Rose Charles and [REDACTED] on July 17, 2016. Details regarding PO McNicholl's interview are detailed under the ☐Patrol Guide 206-13 Hearings☐ portion of this closing

>PO Jose Vasquez Miranda was identified as a ☐Witness☐ in that, he was assigned the Domestic Violence Unit's support investigation regarding the assault of SCG Rose Charles, during which he questioned whether she had any additional contact with [REDACTED]

CANVASS:

There was no canvass regarding this incident.

IDENTIFICATION OF SUBJECT OFFICER(S):

SCG Rose Charles was identified by responding officers as the victim of a domestic assault by her boyfriend [REDACTED] on June 17, 2017.

REVIEW OF DEPARTMENT RECORDS:

>UF-49 ☐- Detailed that on June 17, 2017 SCG Rose Charles, who was off-duty, was assaulted by her boyfriend [REDACTED]

>Complaint Report [REDACTED] ☐- Detailed that SCG Rose Charles had a dispute with [REDACTED] during which he [REDACTED]

>Arrest Report [REDACTED] ☐- Detailed that [REDACTED] was arrested and charged with one [REDACTED]

>Domestic Incident Reports:

1. DIR [REDACTED] ☐- Detailed that on June 17, 2017, SCG Rose Charles was the victim of a felony assault by [REDACTED]

2. DIR [REDACTED] ☐- Detailed that on July 17, 2016, police responded to the home of SCG Rose Charles regarding a verbal dispute involving [REDACTED]. This report was prepared by PO Keila Perez (Note: The DIR did not indicate that SCG Charles was a CMOS and there was no associated IAB Log regarding this incident.)

>ICAD Event D [REDACTED] ☐- Detailed the 911 call placed by Rose Charles during which she stated she was assaulted.

>ICAD Event #D [REDACTED] ☐- Detailed the 911 call placed by Rose Charles on July 17, 2016 during which she stated that her boyfriend was trying to put his hands on her. PO Keila Perez and PO Keith McNicholl were identified as the responding officers.

>Domestic Violence Case Files (ECMS) ☐

1. DV Case #2017-2705 ☐- Detailed the 113 Precinct Domestic Violence Units investigation into the felony assault of SCG Rose Charles by [REDACTED]. The investigation was conducted by PO Jose Vasquez-Miranda

2. DV Case #2016-4499 ☐- Detailed the 113 Precinct Domestic Violence Units investigation into a verbal dispute between SCG Rose Charles and [REDACTED] on July 17, 2016. The investigation was handled by Sgt. Stanley Macnear and was closed without victim contact. The case file further did not detail any information regarding SCG Rose Charles's status as a CMOS.

>Activity Logs - The Activity Logs of PO Keila Perez and PO Keith McNicholl were reviewed and found to be accurate and complete.

>Order of Protection ☐ After [REDACTED]'s arrest, the courts issued a "Full Stay Away ☐- No Contact" Order of Protection under docket #2017-021959. This order was subsequently reduced to a ☐limited☐ Order of Protection on July 25, 2017, after Raheem's criminal court case was concluded.

>NYC Department Of Corrections Inmate Lookup System ☐ - Detailed that [REDACTED] was being housed in NYC DOC custody on \$5000 bail, \$7500 bond.

>NYS Department of Corrections Inmate locator - Detailed that on August 10, 2017 [REDACTED] was received into NYS Correction's custody and is being housed in the Ulster Correctional Facility under Department Identification No. [REDACTED]

COMPUTER AND RELATED BACKGROUND CHECKS:

SCG Rose Charles

Appointment Date: 3/23/2001

Assignment Date: 3/17/2017

Department Monitoring: Negative

IAPRO:

(1) ☐ C ☐ Case:

>CO3-0947 (Association - ☐ Criminal - Other than family) This investigation was conducted to address that SCG Rose Charles was having contact with a drug dealer named [REDACTED] and was closed by Group 26 on 08/22/2005 as UNSUBSTANTIATED.

ICMS:

(1) ☐ OG ☐ Case: Current investigation

(1) ☐ Z ☐ Case: Z-2017-391 - Detailing a support case by IAB intel division regarding this investigation.

CPI:

(2) Background Checks

(1) Internal Investigation - CO3-0947 (Association ☐ Criminal- Other than family): This investigation was conducted to address that SCG Rose Charles was having contact with a drug dealer named [REDACTED] and was closed by Group 26 on 08/22/2005 as UNSUBSTANTIATED.

(This information was updated at the time of closing)

[REDACTED] known to the Department under NYSID [REDACTED] resided with SCG Rose [REDACTED]

A background check of [REDACTED] revealed [REDACTED]

[REDACTED] has no prior records in ICMS, IAPRO, or CCRB records.

[REDACTED] who was identified through a THREADS analysis of SCG Charles's phone, is known to the Department under NYSID # [REDACTED]

A background review of [REDACTED] reveals [REDACTED]

[REDACTED] A review of Department records revealed one record in IAPRO under Log #2003-21481 during which [REDACTED] called the Command Center to complain about the arrest of his parents.

[REDACTED] had no history in IAPRO, ICMS or CCRB records.

[REDACTED] who was identified through a THREADS analysis of SCG Rose Charles's phone, is known to the Department under NYSID # [REDACTED]

A background review of [REDACTED] reveals [REDACTED] A review of Department records revealed one record in IAPRO under Log #2010-55500 during which [REDACTED] called the Command Center to report that his sister was involved in a hit and run accident and the detectives handling the case were rude and disrespectful.

Michael Perez had no history in IAPRO, ICMS or CCRB records.

CONFERRALS CONDUCTED:

>IAB Intelligence Division ☐ - A conferral was conducted with IAB Intel regarding information related to the assault of SCG Rose Charles's assault and to obtain a general character assessment. The field intelligence agent had no information related to SCG Charles or the allegation.

>Information Technology Bureau - ☐ A conferral was conducted with Lt. Linahan, the ICO of the Information Technology Bureau during which he advised that SCG Rose Charles does not have access to OMNI-form, Z-Finest, or DAS Lite computer systems.

>NYS Department of Corrections and Community Supervision (Parole) - A conferral was conducted with Parole Officer Bisram and Parole Officer Petgrave of the NYS Parole, who were assigned the post release supervision of [REDACTED] PO Bisram explained that [REDACTED] provided Parole with the address [REDACTED] as his residence. He further stated he had conducted a home visit of that location during which he encountered a female named ☐ Rose, however he was unable to

confirm that it was Rose Charles.

>NYC Department of Corrections □- A conferral was conducted with the NYC DOC Inspector General who provided records related to [REDACTED] while he was in DOC custody following his arrest for assaulting SCG Charles. These records revealed that Rose Charles did not provide money to [REDACTED]'s commissary account, nor mail any packages to [REDACTED]. However the records did reveal fifteen (15) phone calls from [REDACTED] to Rose Charles's identified cellphone. The DOC Inspector General was further able to provide audio from these calls which revealed seventeen (17) phone calls from [REDACTED] during which he speaks with SCG Charles.

>ADA Green of the QCDA □Domestic Violence Bureau □- A conferral was conducted with ADA Green, the prosecuting attorney of [REDACTED] regarding the uncovered communication between [REDACTED] and Rose Charles, which violated a duly served Order of Protection. ADA Green utilized this information to further the criminal case against [REDACTED] and have his Parole status violated.

> 113 Precinct Domestic Violence Unit - □ A conferral was conducted with PO Jose Vasquez-Miranda of the 113 Precinct Domestic Violence Unit, who was tasked with conducting follow up with SCG Charles and offer her DV services. PO Vasquez-Miranda was advised of the uncovered communication between [REDACTED] and SCG Charles. PO Vasquez-Miranda then met with SCG Charles and if she had any contact with [REDACTED] since his arrest, to which she replied she had not.

>QCDA Integrity Bureau □- A conferral was conducted with ADA James Liander of the QCDA- Integrity Bureau during which he confirmed that the criminal case against [REDACTED] had concluded and that IAB may proceed with our administrative investigation.

>Department Advocates Office - A conferral was conducted with DAO Chris Henry who prepared and filed charges against SCG Charles.

The charges detailed the following:

> That School Crossing Guard Rose Charles, assigned to the 102 Precinct, on or about and between June 20, 2017 and July 5, 2017, did knowingly associate with a person reasonably believed to be engaged in, likely to engage in or to have engaged in criminal activities.

>That School Crossing Guard Rose Charles, assigned to the 102 Precinct, on or about July 5, 2017, during an official Department investigation, conducted by Police Officer Jose Vasquez Miranda, did wrongfully make false statements, to wit: School Crossing Guard Charles did state that she had not had any contact with [REDACTED] since June 17, 2017 when, in fact, she did speak to him by telephone on numerous occasions after June 17, 2017.

>That School Crossing Guard Rose Charles, assigned to the 102 Precinct, on or about and between June 20, 2017 and July 5, 2017, did wrongfully engage in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: after receiving an Order of Protection against an individual known to the Department, School Crossing Guard Charles failed to notify the Department after said individual violated the Order of Protection.

PROACTIVE MEASURES:

>THREADS: The personal phone records were reviewed for SCG Rose Charles, which verified that the subscriber of the phone line was Rose Charles and that [REDACTED] was violating the Criminal Court Order of Protection. The records were further revealed contact with two (2) other persons with criminal history, [REDACTED] and [REDACTED]

> Social Media Query □ A social media query was conducted which revealed two (2) accounts on the platform Facebook, but a review did not reveal any misconduct. There were no other identified accounts under other platforms.

>The case was recommended for Programmatic Review after a six (6) month period to ascertain if SCG Rose Charles is continuing to associate with [REDACTED]

PATROL GUIDE 206-13 HEARINGS:

>SCG Rose Charles

SCG Rose Charles was interviewed as a □Subject□ on January 30, 2018 during which she stated that she had been dating [REDACTED] for approximately one (1) year prior to her assault on June 17, 2017. She further stated that is when she first learned of [REDACTED]'s criminal past and denied having had contact with Parole prior to [REDACTED]'s arrest.

SCG Charles admitted to receiving calls from [REDACTED] in violation of the Order of Protection and stated that those calls would consist of [REDACTED] apologizing and discussing how the relationship would be moving forward. SCG Charles was confronted and asked about her statements to DVO Miranda Vasquez, during which she had denied contact with [REDACTED]. SCG Charles explained that at the time she was in the process of changing her phone and wanted to put the relationship behind her.

SCG Charles was further asked about the prior incident occurring on July 17, 2017. SCG Rose Charles stated that she called police because she was having a disputewith [REDACTED] and that she identified herself as a CMOS to responding officers.

SCG Rose Charles further denied having contact with either [REDACTED] or [REDACTED]

>PO Keila Perez

PO Keila Perez was interviewed as a ☐Witness☐ on May 1, 2018 during which she stated that she had no independent recollection of the Family Dispute reported by Rose Charles. PO Perez further stated she doesn't remember Rose Charles identifying herself as a Member of the Service, but PO Perez stated that if SCG Charles did, she (PO Perez) would have notified her supervisor.

>PO Keith McNicholl

PO Keith McNicholl was interviewed as a ☐Witness☐ on May 1, 2018 during which he stated he had no independent recollection of the Family Dispute reported by Rose Charles. PO McNicholl further stated he doesn't remember Rose Charles identifying herself as a Member of the Service, but PO McNicholl stated that if SCG Charles did, he would have notified his supervisor.

SUPERVISORY DEFICIENCIES:

There were no Supervisory deficiencies identified in connection with this case.

CONCLUSION:

This investigation was prompted after SCG Rose Charles was assaulted by her boyfriend [REDACTED] in order to ascertain if she was aware of his prior criminal history. While there is insufficient evidence to prove or disprove that she was aware of [REDACTED]'s criminal history prior to her being assaulted, the investigation did reveal sufficient evidence to prove that after his arrest she maintained communication with him via phone, therefore the allegation ☐Association ☐Criminal ☐Other than Family☐ is being closed as SUBSTANTIATED.

Additionally, the investigation could not establish sufficient evidence to prove or disprove that SCG Rose Charles failed to identify herself on July 17, 2016, however based on the investigation there is sufficient evidence to prove that the uncovered communication between SCG Charles and [REDACTED] after his arrest, constituted a violation of a duly served Order of Protection, resulting in SCG Charles being the victim of Criminal Contempt. The investigation further revealed sufficient evidence to prove that SCG Charles failed to notify the Department or a Supervisor of this domestic incident, therefore the allegation ☐Fail to Notify☐ was added and is being closed SUBSTANTIATED.

Further it was revealed that SCG Rose Charles did wrongfully make false statements to 113 Precinct DVO Jose Vasquez, when she stated she had no contact with [REDACTED] when she in fact did speak with him via phone, therefore the allegation ☐"Making False Statements - Other"☐ was added and is being closed SUBSTANTIATED.

Subjects Involved





Name	Status	Sex	Race	Dob
386254 ROSE CHARLES SCG (102-102 PRECINCT)	CIVILIAN MEMBER OF SERVICE	FEMALE	BLACK	[REDACTED]

Allegations

1	Full Allegation Domestic Incident - Victim of - Other	Classification Domestic	Allegation Index O-Domestic/Other	Allegation Date 06/17/2017	Finding 04 - Info. and Intelligence	Finding Date 08/26/2018
	Comments This investigation confirmed that SCG Rose Charles was the victim of an assault at the hands of her boyfriend [REDACTED] and she was advised of the availability of services for victims of the Domestic Violence. Therefore the allegation "Domestic Incident - Victim of - Other" will be closed as Information and Intelligence.					
2	Full Allegation Association - Criminal - Family Member	Classification Abuse of Dept Regulations	Allegation Index ASSFAM- Abuse/Associates Family	Allegation Date 06/17/2017	Finding 07 - Substantiated	Finding Date 08/07/2018
	Comments This investigation revealed that between June 20, 2017 and July 5, 2017, SCG Rose Charles knowingly communicated with [REDACTED] after she was aware of his prior criminal history, therefore the allegation "Association - Criminal - Family Member" will be closed as SUBSTANTIATED with Charges and Specification preferred under DAO Serial #2018-18942.					
3	Full Allegation Charges & Specifications - IAB	Classification NOTIFICATION/Additional Information	Allegation Index CS-Charges and Specifications	Allegation Date 08/13/2018	Finding 04 - Info. and Intelligence	Finding Date 08/07/2018
	Comments 1.Said School Crossing Guard Rose Charles, assigned to the 102 Precinct, on or about and between June 20, 2017 and July 5, 2017, did knowingly associate with a person reasonably believed to be engaged in, likely to engage in or to have engaged in criminal activities.					

	<p>2. Said School Crossing Guard Rose Charles, assigned to the 102 Precinct, on or about July 5, 2017, during an official Department investigation, conducted by Police Officer Jose Vasquez Miranda, did wrongfully make false statements, to wit: School Crossing Guard Charles did state that she had not had any contact with [REDACTED] since June 17, 2017 when, in fact, she did speak to him by telephone on numerous occasions after June 17, 2017.</p> <p>3. Said School Crossing Guard Rose Charles, assigned to the 102 Precinct, on or about and between June 20, 2017 and July 5, 2017, did wrongfully engage in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: after receiving an Order of Protection against an individual known to the Department, School Crossing Guard Charles failed to notify the Department after said individual violated the Order of Protection.</p>					
4	Full Allegation Fail to Notify - Duty Captain/Operations	Classification Abuse of Dept Regulations	Allegation Index Fail to Make Notification	Allegation Date 08/21/2018	Finding 07 - Substantiated	Finding Date 08/26/2018
	Comments This investigation revealed that SCG Rose Charles failed to notify the Department that she was the victim of Criminal Contempt when [REDACTED] regularly contacted her in violation of a Duly Served Order of Protection, therefore the allegation "Fail to Notify - Duty Captain/Operations" is being closed as SUBSTANTIATED with Charges and Specification preferred under DAO Serial #2018-18942.					
5	Full Allegation Official Statement - False Statement - Other	Classification Perjury/False Statements	Allegation Index O-Other False Statements	Allegation Date 08/21/2018	Finding 07 - Substantiated	Finding Date 08/26/2018
	Comments This investigation revealed that SCG Rose Charles provided false statement to Police Officer Jose Vasquez, who was conducting a follow-up Domestic Violence investigation into concerns that [REDACTED] was contacting her in violation of a duly served Order of Protection, therefore the allegation "Official Statement - False Statement - Other" is being closed as SUBSTANTIATED with Charges and Specification preferred under DAO Serial #2018-18942.					

ATTACHMENT

1	 <u>'Patrol 49'</u>
2	 <u>'Preferred Charges and Specifications'</u>
3	 <u>'Request Charges and Specifications'</u>
4	 <u>'Notice of Disposition'</u>

Reporting Officer:	Rank SGT	Name LAWTON JOHN		Tax Reg. No. 930713		Command G27-GROUP 27
Reviewing Supervisor:	Manner of Closing C - PARTIALLY SUBSTANTIATED	Date Reviewed 08/29/2018	Date of Next Review	Name HARSCH KENNETH		Supv. Tax No. 906423
Endorser:	Rank DI	Name HARSCH KENNETH	Tax Reg. No. 906423	Command G27-GROUP 27	DateTime Reviewed 08/29/2018 09:28	Status Rejected
	Comments <div></div>					

Endorser:	Rank DI	Name HARSCH KENNETH	Tax Reg. No. 906423	Command G27-GROUP 27	DateTime Reviewed 08/29/2018 10:33	Status Approved
	Comments APPROVED CASE CLOSED AS PARTIALLY SUBSTANTIATED. CHARGES AND SPECIFICATIONS ISSUED.					